

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 13312 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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VASANTIBEN K PATEL

Versus

DY COLLECTOR, STAMP DUTY VALUATION ORGANISATION

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Appearance:

None present for Petitioner

MS PS PARMAR for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 02/07/97

ORAL JUDGEMENT

Heard the learned counsel for the respondent and perused the Special Civil Application.

Challenge is made by the petitioner in this Special Civil Application to the order annexure 'A' dated 6-7-1993 passed by the respondent under sec.32-A of the Bombay Stamp Act, 1958.

The counsel for the respondent submitted that this Court has decided the cognate matters on 20th February, 1997 in terms that the petitioner may avail the remedy available under the Act within a period of eight weeks from the date of the order. Against the order impugned in this Special Civil Application the remedy is available to the petitioner under the aforesaid Act.

In view of this fact, the contention raised by the counsel for the respondent deserves acceptance and this Special Civil Application is disposed of with the directions that against the impugned order the petitioner may avail of the remedy available under the aforesaid Act, within a period of eight weeks from today. It will be open to the petitioner to raise all contentions available, which shall be decided by the authority in accordance with law. If the remedy available is availed of within a period of eight weeks, the authority shall not raise any objection with regard to the delay. Interim relief granted by this Court on 25th November, 1993 in terms of Para-9(d) shall continue till the matter is decided by the concerned authority. However, in case, the remedy available to the petitioner under the aforesaid Act is not availed of within a period of eight weeks from today then this Special Civil Application shall stand dismissed, rule shall stand discharged and interim relief granted by this Court shall stand vacated automatically without reference to the Court. The Special Civil Application and rule stands disposed of in the aforesaid terms with no order as to costs.

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